

REMARKS

In response to the Office Action dated January 6, 2009, claims 1, 2, 5 and 8-19 have been amended. Claims 1-19 are pending in the application.

In paragraph 3 on page 4 of the Office Action, claims 1-19 were rejected under 35. U.S.C. § 103(b) as being unpatentable over Knudson in view of Hendricks and in further view Funahashi.

Applicant respectfully traverses the rejection, but in the interest of expediting prosecution has amended claims.

Claim 1 sets forth providing a set of more than two on-demand programs and packaging the set into a subset having at least two on-demand programs of the set of on-demand programs. A user interface for visually presenting a plurality of selectable objects for user selection is provided including a first selectable object for selecting subscription-on-demand services to cause subscription-on-demand packages to be visually presented in response to selection of the first object by a user. The subscription-on-demand packages visually presented includes at least the subset of the at least two on-demand programs as a subscription-on-demand package.

In contrast, Knudson merely discloses programs presented to a user in a program guide, e.g. a grid. The user may select a program to watch from the program guide. Sometimes a program is part of a package. If the program is part of a package, the user may pay for the package when the user selects the program so that user may watch the selected program in accordance to the package constraints.

Thus, according to Knudson, the user selects a program from a program guide. Knudson does not disclose providing a user interface that presents selectable objects for user selection so that the user can select from the objects subscription-on-demand services. Knudson does not disclose the user selecting an object representing subscription-on-demand services to cause subscription-on-demand packages to be visually presented.

Thus, Knudson fails to disclose, teach or suggest the invention as defined in independent claims 1, as amended.

Hendricks fails to overcome the deficiencies of Knudson. Hendricks merely discloses a system for managing programming and control signals at a head-end. Hendricks discloses different program types including video-on-demand. However, Hendricks fails to suggest subscription-on-demand packages.

More particularly, Hendricks fails to disclose providing a user interface that presents selectable objects for user selection so that the user can select from the objects subscription-on-demand services. Hendricks also does not disclose the user selecting an object representing subscription-on-demand services to cause subscription-on-demand packages to be visually presented.

Thus, Knudson and Hendricks, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 1, as amended.

Funahashi fails to overcome the deficiencies of Knudson and Hendricks. Funahashi is merely cited as disclosing some pay programs free of charge. However, like Knudson and Hendricks, Funahashi suggest subscription-on-demand packages.

Funahashi fails to disclose providing a user interface that presents selectable objects for user selection so that the user can select from the objects subscription-on-demand services. Funahashi also does not disclose the user selecting an object representing subscription-on-demand services to cause subscription-on-demand packages to be visually presented.

Thus, Knudson, Hendricks and Funahashi, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 1, as amended.

Dependent claims 2-19 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claim 1. Further dependent claims 2-19 recite additional novel elements and limitations. Applicant reserves the right to argue independently the patentability of these additional novel aspects. Therefore, Applicant respectfully submits that dependent claims 2-19 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account

U.S. Patent Application Serial No. 09/922,910
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No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17;

particularly, extension of time fees.

Respectfully submitted,

Merchant & Gould
P.O Box 2903
Minneapolis, MN 55402-2903
865-380-5976



A handwritten signature in black ink, appearing to read "David W. Lynch". The signature is fluid and cursive, with a long horizontal stroke at the end.

By: _____

Name: David W. Lynch

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